



Illinois American Water
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Ms. Dawn Thompson, Associate Planner
Staff Secretary to the Wastewater Committee
Chicago Metropolitan Agency for Planning
233 South Wacker Drive
Suite 800, Sears Tower
Chicago, IL 60606

Re: Illinois American Water Company
Valley Marina Water Reclamation Facility (WRF) Expansion
10-WQ-005

Dear Ms. Thompson:

In accordance with your request, Illinois American Water Company is writing to respond to comments received from CMAP on March 10, 2010, regarding the above-referenced project. The comments were from Walter E. Deuchler Associates, Inc. (WEDA) on behalf of the Fox Metro Water Reclamation District (FMWRD).

We disagree that the Valley Marina WRF's effluent limitations should be set equal to FMWRD's more stringent effluent limitations. The primary justification is as follows:

- The Illinois Environmental Protection Agency (IEPA) generally calculates permit limits based on treatment plant design flow. The reason FMWRD has more stringent biochemical oxygen demand (BOD) and total suspended solids (TSS) limits in its permit is due to its treatment plant design flow being more than one-fifth (20 percent) of the Fox River low flow. This threshold is established in IEPA guidelines. Furthermore, FMWRD is considered a "major" treatment plant with respect to NPDES permitting because its design flow is over 1.0 mgd. Major treatment plants have additional requirements with respect to effluent limits and monitoring as compared to minor treatment plants.
- The Valley Marina WRF's proposed design flow is one-one hundredth (one percent) of FMWRD's design flow and only 0.4 percent of the Fox River low flow. The Valley Marina WRF is considered a "minor" treatment plant with respect to NPDES permitting.
- The Illinois American Water Company (ILAWC) is proposing to meet or exceed all state and federal requirements with respect to effluent quality. Specifically, the ILAWC is addressing anti-degradation requirements by holding annual mass limits the same as our current NPDES permit and is proposing to go "above and beyond" regulatory requirements by including removal of total nitrogen in the treatment process. There are no current regulations that require the Valley Marina WRF to meet more stringent limits than those proposed by the ILAWC.
- The Fox River Study Group (FRSG) is in the process of developing models to assist with development of scientifically-sound, site-specific discharge limits or goals for Fox River

dischargers. The ILAWC would prefer to wait for the results of the modeling effort before agreeing to more stringent permit limits that are essentially arbitrary rather than based on science. If ILAWC agrees to more stringent, arbitrary permit limits now, and the FRSG modeling shows that such stringent limits are unnecessary, ILAWC may not be able to increase the limits in the future because of federal antibacksliding regulations.

- ILAWC finds it interesting that FRWRD would propose the ILAWC treatment plant meet these stringent limits given that their West WWTF does not operate under these same requirements. In Illinois there is no precedent that we are aware of for setting identical discharge permit limits for all treatment plants within a Facility Planning Area (FPA). It is our understanding that the Fox River Water Reclamation District's (FRWRD's) FPA includes three treatment plants with three different effluent limits that were calculated by the IEPA based on design flow. FRWRD's South wastewater treatment facility (WWTF) has 10 mg/L BOD and 12 mg/L TSS limits because it has a design flow greater than one-fifth of the Fox River low flow, but its West WWTF has higher limits (even though it is a "major" WWTF) because its design flow is less than one-fifth of Fox River low flow.
- The lower effluent limits proposed by FMWRD would increase the capital and operating costs of the Valley Marina WRF unnecessarily; also translating to unnecessary rate impact to the customers served by Illinois American Water.

In summary, we believe more stringent limits would increase costs irresponsibly; that is, the additional required expenditures would not result in any regulatory or scientifically documented benefit to the receiving stream or to the ILAWC's customers. Therefore, we respectfully request that CMAP disregard the FMWRD comment letter in its review of our application.

Sincerely,

ILLINOIS - AMERICAN WATER COMPANY



Richard A. Hermann, P.E.
Engineering Manager, Chicago Metro